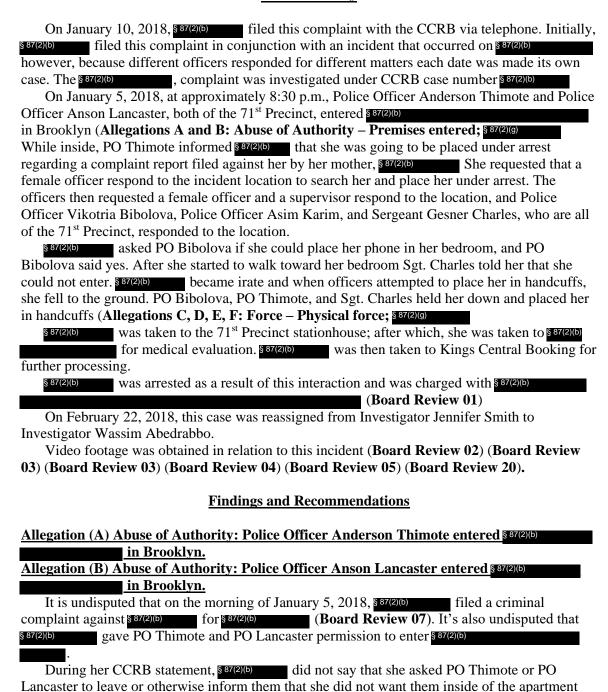
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	V	Force		Discourt.	☐ U.S.
Wassim Abedrabbo		Squad #12	201800905	V	Abuse		O.L.	☐ Injury
In aid and Data(a)		Location of Incident:			Precinct:	10	Mo. SOL	EO SOL
Incident Date(s)				1				
Friday, 01/05/2018 8:30 PM		§ 87(2)(b)			71		/5/2019	7/5/2019
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Rece	eived at CCI	RB
Wed, 01/10/2018 10:09 AM		CCRB	Phone		Wed, 01/1	0/201	8 10:09 AN	М
Complainant/Victim	Type	Home Addre	ess					
Witness(es)		Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. POF Viktoria Bibolova	12818	960248	071 PCT					
2. POM Anderson Thimote	16504	957399	071 PCT					
3. POM Anson Lancaster	15549	930525	071 PCT					
4. POM Asim Karim	13733	956015	071 PCT					
5. SGT Gesner Charles	03036	925061	071 PCT					
Officer(s)	Allegatio	on			Inve	stiga	tor Recon	nmendation
A.POM Anderson Thimote	Abuse: P § 87(2)(b)	olice Officer Anderson	Thimote entered in Brooklyn.					
B.POM Anson Lancaster	Abuse: P § 87(2)(b)	olice Officer Anson Lar	ncaster entered # in Brooklyn.					
C.POM Anderson Thimote		Force: Police Officer Anderson Thimote used physical force against \$87(2)(b)						
D.SGT Gesner Charles	Force: Se \$ 87(2)(b)	Sergeant Charles Gesner used physical force against			nst			
E.POF Viktoria Bibolova	Force: Po against §	olice Officer Viktoria Bi	bolova used physica	l fo	rce			
F.POM Asim Karim	Force: Poagainst §	olice Officer Asim Karir 87(2)(b)	m used physical force	e				

Case Summary



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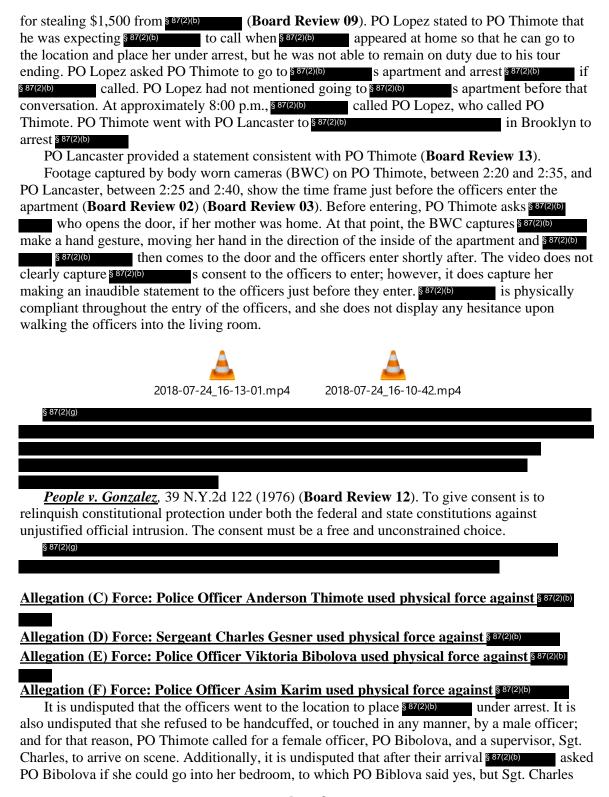
Lopez informed him that he took a criminal complaint and prepared a UF-61 against [887(2)(b)]

PO Thimote stated that on the incident date, at approximately 7:45 p.m., Police Officer Louis

declined to participate in this investigation.

CCRB Case # 201800905

(Board Review 08).



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said that she cannot. Finally, it is undisputed that after §87(2)(b) put her phone in the bedroom, Sgt. Charles made contact with \$87(2)(b) after which, she went down to the ground.

During her CCRB statement, \$87(2)(b) described PO Thimote and the other officers as being aggressive toward her. She stated that after PO Bibolova told her that she could go into the bedroom an officer said no, and PO Bibolova attempted to tell the officer that she told 357(2)(5) she could go into the bedroom, but the officer did not hear that. At that time, the officer pulled her by her sweater and she fell to the ground. The officers then gathered around her on the ground and held her down until she was placed in handcuffs (Board Review 08). PO Thimote stated that after \$37(2)(b) stated she wanted to put the phone in her bedroom, Sgt. Charles told her to give the phone to an officer who would do that for her. § 37(2)(b) ran toward the room, dropped the phone on the floor in the room and then walked back toward the couch. Sgt. Charles grabbed \$87(2)(b) s left arm and told PO Bibolova to handcuff her. then yelled, "I don't want no male touching me!" and she went limp, fell to the ground, and began flapping her arms and kicking her legs. §87(2)(5) was not thrown or forced to the ground by him, Sgt. Charles, or any other officer. PO Bibolova put the handcuffs on [887(2)(5)] while PO Thimote and Sgt. Charles held her down on the ground (**Board Review 09**). Sgt. Charles stated that he arrived at the location with his partner, Police Officer Asim Karim, before PO Bibolova and her partner, Lieutenant David Salmon (Board Review 10). After PO Bibolova arrived, Sgt. Charles instructed her to stand up so that PO Bibolova may place her in handcuffs. [887(2)(b) tried to go into a room, but Sgt. Charles said she could not go there because he was afraid she might try to access a weapon. When PO Bibolova attempted to handcuff her, § 37(2)(b) went to the ground and began punching and kicking. He did not pull her by her sweater, and he did not see any other officer do so. PO Bibolova was unable to handcuff [8] on her own, so he and PO Thimote held [8] down to assist in the handcuffing. § 87(2)(g) PO Lancaster's BWC captured the moment where \$37(2)(b) requested to place her phone in the bedroom to the moment she was handcuffed, between 16:40 and 18:20 (Board Review 03). After she walks into her bedroom at 17:08, she exits the bedroom at 17:15. At that time she is irate, yelling and cursing, and she walks past Sgt. Charles who says, "Do me a favor, just relax," and places his hand on her arm. She tells him not to touch her because she does not want to be touched by a man. PO Bibolova is standing to \$37(2)(b) s left, closer to her back. Sgt. Charles attempted to grab hold of §37(2)(b) s arm, but she starts to lean back and back away. Sgt. Charles, PO Thimote, and PO Bibolova are attempting to gain hold of §87(2)(b) arms when she falls backward to the ground. Not Sgt. Charles, PO Thimote, or PO Bibolova pull [887(2)(5)] and cause her to fall.



2018-07-24_16-34-29.mp4

Between 17:40 and 18:10, \$87(2)(6) is on the ground repeatedly saying that she does not want any man touching her and multiple officers tell her to calm down and to stop kicking. She is then assisted off the ground by PO Bibolova.

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<u>Patrol Guide Procedure 208-02</u> (Board Review 15). When a uniformed member of service effects an arrest and officers are removing the person to a departmental facility for processing, they must handcuff the prisoner with their hands behind their back.

<u>Patrol Guide Procedure 221-01</u> (Board Review 19). In considering whether use of force is reasonable, officers must consider if the individual was actively resisting custody and actions taken by the individual.

Upon the investigation's review of the Arrest section of the Patrol Guide, section 208, there was not any provision requiring officers of the same gender to place an individual in handcuffs.

§ 87(2)(g)		

Civilian and Officer CCRB Histories

•	§ 87(2)(b)	as been a party to three CCRB complaints and has been named as a victin	n
	in 13 allega	ons (Board Review 14):	

0	§ 87(2)(b)	

• PO Thimote has been a member-of-service for three years and has been a subject in three CCRB complaints and seven allegations, none of which were substantiated.

PO Lancaster has been a member-of-service for 16 years and has been a subjective CCRB complaints and four allegations, none of which were substantiated.	
(g)	

- Sgt. Charles has been a member-of-service for 18 years and has been a subject in five CCRB complaints and nine allegations, of which one was substantiated:
 - Case number 201211897 involved a substantiated allegation of a vehicle search against Sgt. Charles. The Board recommended Command Discipline – B, but the NYPD did not impose any penalty against Sgt. Charles.

		<i>J</i> 1	-	C	8
0	§ 87(2)(g)				

PO Bibolova has been a member-of-service for two years and has been a subject in two CCRB complaints and four allegations, none of which were substantiated. §87(2)(9)

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• PO Karim has been a member-of-service for four years and has been a subject in four CCRB complaints and seven allegations, none of which were substantiated. §87(2)(9)

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation due to \$87(2)(b) s arrest.
- As of July 16, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 15).
 S7(2)(b) (SS 85(1)(3)&(4)) (S 97(2)(c)

Squad No.: 12			
Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Print Title & Name	Date
Reviewer:	Signature	Print Title & Name	 Date

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